68.   A therapeutic composition useful in treating humans with *Neisseria meningitidis* comprising at least one antibody directed against the polypeptide of claim 31 and a suitable pharmaceutical carrier.

69.   A therapeutic composition useful in treating humans with *Neisseria meningitidis* comprising at least one antibody directed against the polypeptide of claim 38 and a suitable pharmaceutical carrier.

70.   A process for expressing the polynucleotide of Claim 45 comprising transforming a host cell with the expression vector comprising the polynucleotide and culturing the host cell under conditions sufficient for expression of the polynucleotide.

REMARKS

Applicant respectfully requests that this Preliminary Amendment be entered in this case before the calculation of fees and before examination of the subject application.

Claims

Claims 1-30 have been canceled without prejudice or disclaimer of the subject matter therein. Applicant reserves the right to prosecute, in one or more patent applications, the canceled claims, the claims to non-elected inventions, the claims as originally filed, and any other claims supported by the specification.

New claims 31-70 have been introduced. No new matter is added.

Support

Support for the new claims is either obvious, or is as described in the text below. Particularly, support for the recitation of "five single amino acid substitutions, deletions or additions" can be found, for example, at page 6, lines 16-17. Support for compositions of the isolated polypeptide which include an adjuvant recited in the claims can be found, for example, at page 40, lines 18-19. Support for the stringent hybridization conditions may be found, for example, at page 14, lines 10-14. Support for the recitation of sequence relatedness such as "wherein the first polynucleotide sequence is identical to SEQ ID NO:3 or 5 minus any terminal stop codon, except that, over the entire length corresponding to SEQ ID NOs:3 or 5

minus any terminal stop codon, n_n nucleotides are substituted, inserted or deleted, wherein n_n satisfies the following expression
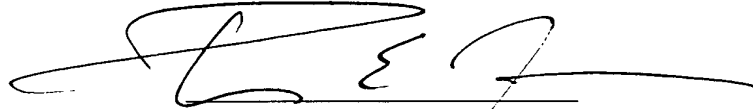
$$n_n \leq x_n - (x_n \circ y)$$

wherein x_n is the total number of nucleotides in SEQ ID NOs:3 or 5 minus any terminal stop codon, y is at least 0.95, and wherein any non-integer product of x_n and y is rounded down to the nearest integer before subtracting the product from x_n" can be found in the specification, for example, at page 44, lines 1-25.

Closing Remarks

Entry of this Preliminary Amendment prior to calculation of fees and Examination and Allowance of the pending claims is respectfully requested.

Respectfully submitted,

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